Institutional Development of the CSCE: A Challenge of Change

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After having been engaged to the CSCE process during a number of years, I have noticed a certain shift in my own perception of the Human Dimension provisions. In 1989 it was more the particularities of the individual provisions that caught my attention, whether they concerned the reunification of minor children with their parents or enjoyment of religious freedom. In the meantime it was the process, the meeting pattern of the Paris, the Copenhagen, and the Moscow Meetings of the Conference on the Human Dimension that stood out. Today I believe it is the human dimension mechanism itself that deserves the first and foremost attention, because it has become the symbol for how measures and provisions previously considered controversial or confrontational, have been fully accepted as co-operative.

The provisions — the mechanisms as later developed — are directly relevant to today’s situation in the CSCE area. Suffice it to mention the Corell-Türk-Thune Mission, under the Moscow Mechanism, which has already been completed as regards Croatia and is being planned concerning Bosnia-Herzegovina. The Mission not only gave comprehensive accounts of atrocities on the ground, but also proposed remedies to ensure personal accountability. These proposals on making the principle of personal accountability effective, including the possibility of the establishment of an ad hoc tribunal, are now being refined at the request of the Stockholm Council Meeting. I can hardly think of any one measure which would more directly answer the actual demands as presented by the situation on the ground.

Another example, although of a totally different kind, is the decision by Estonia to invite a rapporteur mission under the Moscow Mechanism on the study of Estonian legislation, particularly as regards nationality and citizen issues. This Rapporteur Mission is closely linked to the decision to establish a CSCE Long-term Mission in Estonia to help promote stability and dialogue between the Estonian and the Russian communities in Estonia. This Mission, headed by Ambassador Tornudd of Finland, is on location since 15 February.

We thus see two examples, where the Human Dimension Mechanism is used effectively. The first in the former Yugoslavia, to ensure the personal accountability for massive and systematic violations of human rights and international humanitarian law. The second, in Estonia, as a tool of preventive

1. Revised text of a speech, delivered at a Conference on the Human Dimension of the CSCE in Athens on 29 January 1993, organized by the Marangopoulos Foundation for Human Rights in Athens and the Centre de Droit International de Nanterre (CEDIN) in Paris.
2. At the Vienna Follow-up Meeting of the CSCE, which was concluded in January 1989, I was the coordinator of the Third Basket. In that capacity I was closely linked to the birth of the special chapter on the Human Dimension in the Vienna Concluding Document.
diplomacy, in an area without any hostilities.

It is my hope that much of the basic concept in the Human Dimension and in the Human Dimension Mechanism can be useful also for the new CSCE High Commissioner on National Minorities in the work he has just started.

This brings me to the question of the imminent institutional rearrangements foreseen for the CSCE during the current year. Although the High Commissioner on National Minorities was technically established as a tool of early warning and preventive diplomacy, it is obvious that his tasks are closely linked to the general operation of the negotiating structures of the participating States, the role of the Chairman-in-Office and of the existing three CSCE institutions: the CSCE Secretariat, the Conflict Prevention Centre (CPC) and the Office for Democratic Institutions and Human Rights (ODIHR).

Two features are central here. While nowadays few voice the earlier fear that the CSCE might develop into a body rivalling NATO as the premier organization managing European security, or that it will turn into a regional duplication of the United Nations, it seems clear that the CSCE has chosen to concentrate on preventive diplomacy and early warning in all fields of activities. This is an area where the political characteristics and decision-making process of the CSCE can make a particular contribution.

Another characteristic feature is the ever growing inter-relationship with the major European and transatlantic organizations, as well as the declaration that the CSCE is a regional arrangement in terms of Chapter VIII of the United Nations Charter. In practical terms, this has meant harmonization and cooperation on the ground, exchange of information and mutual support. One of the potentially most significant steps taken rather quietly at the Stockholm Council meeting was the invitation, for the first time ever at this political level, to NATO, the Western European Union and the Council of Europe to address the CSCE Council, thus clearly sanctioning an increased political interaction with these institutions.

Most visible, however, are probably the following three decisions from the Stockholm Council Meeting:
- to hold more regular political consultations in Vienna to prepare for and as a follow-up to CSO Meetings;
- to establish a Secretary-General of the CSCE to oversee all the CSCE institutions, and
- to create, for the Secretariats in Prague and in Vienna, a single, organizational structure.

The fact that such fairly far-reaching decisions have already been taken two years after the Paris Summit reflect, possibly, that the Paris Summit decisions were taken without the full realization of their practical implementation, but might also be described in terms of the new needs emerging after the collapse of the former Yugoslavia and the dissolution of the former Soviet Union.

Personally I expect to be involved in a great deal of commuting between Prague and Vienna during the remaining year of my appointment, but I am